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JOSEPH E. BARATTA AND TBIG FINANCIAL
8 SERVICES, INC.

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN JOSE DIVISION

14
15 VIOLETTA ETTARE,

16 Plaintiff,

17 v.

18 JOSEPH E. BARATTA, an individual, TBIG
19 FINANCIAL SERVICES, INC., form of
20 business unknown, WACHOVIA
SECURITIES, LLC, a Delaware Limited
21 Liability Company, MARK WIELAND, and
individual, and DOES 1-25,

22 Defendants.
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Case No. C-07-04429-JW

[PROPOSED] ORDER GRANTING
DEFENDANTS JOSEPH E. BARATTA,
AND TBIG FINANCIAL SERVICES,
INC.'S JOINDER IN MOTION TO
COMPEL ARBITRATION AND STAY
PROCEEDINGS

Date: May 5, 2008
Time: 9:00 A.M.
Judge: Hon. James Ware

Trial Date: TBD

1 On Monday, May 5, 2008, at 9:00 a.m., Defendants JOSEPH E. BARATTA, and
2 TBIG FINANCIAL SERVICES, INC. (collectively, "TBIG Defendants") Joinder in the
3 Motion to Compel Arbitration and Stay Proceedings of Defendants WACHOVIA
4 SECURITIES, LLC, and MARK WIELAND (the "Motion") came on hearing before this
5 Court.

6 Having considered the papers filed in support of and in opposition to Defendants'
7 Motion and Joinder in Motion and the arguments of the parties, this Court hereby rules as
8 follows:

9 Pursuant to the evidence presented to the Court and prevailing law, Plaintiff shall
10 submit all claims against all Defendants to binding arbitration before the Financial Industry
11 Regulatory Authority ("FINRA").

12 Further, the entire Federal Court action shall be stayed pending arbitration proceedings
13 pursuant to the Federal Arbitration Act, 9 U.S.C. §3. This Court shall retain personal and
14 subject matter jurisdiction to enforce the terms of the arbitration agreement and to confirm,
15 correct or vacate any arbitration award rendered.

16 IT IS SO ORDERED.

17
18 DATED: _____, 2008

JUDGE JAMES WARE